

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
POMPEJUS et al. ) Art Unit: TO BE ASSIGNED  
Serial No. TO BE ASSIGNED ) Examiner: TO BE ASSIGNED  
Filed: WITH DIVISIONAL APPLICATION )  
For: GENES OF BIOSYNTHESIS FROM ASHBYA GOSSYPII AND THE USE  
THEREOF IN MICROBIAL RIBOFLAVIN SYNTHESIS

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

PRELIMINARY AMENDMENT  
UNDER 37 CFR §1.115

Sir:

This is a Divisional Application of Application Serial No. 09/212,247, filed on  
December 16, 1998.

The above identified Divisional Application is drawn to non-elected subject  
matter which was canceled from the claims during the prosecution of the parent  
application. Kindly amend the Divisional Application for further prosecution as follows.

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**CLEAN VERSION OF AMENDMENTS**

**IN THE CLAIMS**

Please cancel claims 2-3 and 5-29.

Please amend claims 1 and 4 to read as follows:

1. (amended) An isolated or purified protein having the polypeptide sequence depicted in SEQ ID NO:2 or a polypeptide sequence obtainable from SEQ ID NO:2 by substitution, insertion or deletion of up to 15% of the amino acids, and having the enzymatic activity of a phosphoribosyl-pyrophosphate synthetase.

4. (amended) A protein whose sequence differs from that set forth in SEQ ID NO:2 in that one or more of the following amino acid substitutions are present: lysine at position 7 replaced by valine, aspartate at position 52 replaced by histidine, leucine at position 133 replaced by isoleucine, aspartate at position 186 replaced by histidine, alanine at position 193 replaced by valine, or histidine at position 196 replaced by glutamine, wherein said protein has the activity of a phosphoribosyl-pyrophosphate synthetase.

REMARKS

The present divisional application is drawn to Group I as defined in the office action of March 29, 2000, designated as paper number 10, in the parent prosecution. Applicants have amended the claims to mirror those finally allowed in the parent, and submit that they are in condition for allowance. In view of this, applicants respectfully solicit passage of the application to issue.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11-0345. Please credit any excess fees to such deposit account.

Respectfully submitted,  
KEIL & WEINKAUF



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DCL/kas

1006457-024502

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS**

Please cancel claims 2-3 and 5-29.

Please amend claims 1 and 4 to read as follows:

1. (amended) [A] An isolated or purified protein having the polypeptide sequence depicted in SEQ ID NO:2 or a polypeptide sequence obtainable from SEQ ID NO:2 by substitution, insertion or deletion of up to 15% of the amino acids, and having the enzymatic activity of a phosphoribosyl-pyrophosphate synthetase.

4. (amended) A protein [as claimed in claim 1, in which] whose sequence differs from that set forth in SEQ ID NO:2 in that one or more of the following amino acid substitutions are present: lysine at position 7 replaced by valine, aspartate at position 52 replaced by histidine, leucine at position 133 replaced by isoleucine, aspartate at position 186 replaced by histidine, alanine at position 193 replaced by valine, or histidine at position 196 replaced by glutamine, wherein said protein has the activity of a phosphoribosyl-pyrophosphate synthetase.

**COPY OF ALL CLAIMS**

1. (amended) An isolated or purified protein having the polypeptide sequence depicted in SEQ ID NO:2 or a polypeptide sequence obtainable from SEQ ID NO:2 by substitution, insertion or deletion of up to 15% of the amino acids, and having the enzymatic activity of a phosphoribosyl-pyrophosphate synthetase.

4. (amended) A protein whose sequence differs from that set forth in SEQ ID NO:2 in that one or more of the following amino acid substitutions are present: lysine at position 7 replaced by valine, aspartate at position 52 replaced by histidine, leucine at position 133 replaced by isoleucine, aspartate at position 186 replaced by histidine, alanine at position 193 replaced by valine, or histidine at position 196 replaced by glutamine, wherein said protein has the activity of a phosphoribosyl-pyrophosphate synthetase.